UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,282	10/22/2001	Atsushi Shimizu	15115/008001	3807

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EXAMINER
SUBRAMANIAN, NARAYANSWAMY

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*27 June 2003*</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-6*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-6*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

1.   This office action is in response to applicants' communication filed on June 27, 2003

(Paper No. 11). Examiner received the communication only on December 31, 2003.

Amendments to Abstract and claims 1 and 4 have been entered. Objections to the abstract made

by the Examiner in the last office action (Paper No. 10) are withdrawn in view of the

amendments to the abstract. Claims 1-6 are pending in the application and have been examined.

The rejections and response to arguments are stated below.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or
> in public use or on sale in this country, more than one year prior to the date of application for
> patent in the United States.

3.   Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Fleming

(US Patent 5,953,710).

With reference to claim 1, Fleming teaches an electronic settlement system for

electronically paying from a spending account a plurality of expenses requested by a user

within a predetermined period, comprising: deposit processing means for processing a deposit

for each of the plurality of expenses (See Fleming Column 2 lines 19-24); payment processing

means for processing a payment from the spending account for each of the plurality of

expenses (See Fleming Column 5 lines 16-19); storage means for storing payment method,

payment period, scheduled payment amount, and credit limit for each of the plurality of

expenses (See Fleming Column 7 lines 4-8); and management means for totalizing the deposits

and payments from a user through the electronic settlement system and informing the user of

the totalized amount thereof for each of the plurality of expenses, wherein the spending

account is electronically unassociated with an investment account (See Fleming Column 7

lines 25-37). The statement lists include the totals of deposits and expenses also.

With reference to claim 2, Fleming teaches an electronic settlement system of claim 1

further comprising a credit limit alteration means for altering credit limit stored by the storage

means that is calculated at a time when request of payment by the electronic payment system is

received. (See Fleming Column 1 lines 50-66).

With reference to claim 4, Fleming teaches an electronic settlement method for

electronically paying from a spending account a plurality of expenses requested by a user

within a predetermined period, comprising: storing payment method, payment period,

scheduled payment amount, and credit limit of the expense that is requested to pay by the

electronic settlement method for each of the plurality of expenses (See Fleming Column 7 lines

4-8); storing a deposit data from a user for each of the plurality of expenses (See Fleming

Column 2 lines 19-24); upon receiving a request to pay by the electronic settlement system,

determining whether payment is allowed based on the stored data of deposit and credit limit for

the expense; and paying the requested expense if payment to that request is determined to be

allowable, and rejecting the payment if payment to that request is not allowable, wherein the

spending account is electronically unassociated with an investment account (See Fleming

Column 9 lines 25-47).

With reference to claim 5, Fleming teaches an electronic settlement method of claim 4

further comprising calculating difference between total deposit amount and total payment

amount at a time payment is requested to the electronic settlement system, altering credit limit

stored in the system based on the difference, and determining whether payment is allowable to

that request of payment to the electronic settlement system. (See Fleming Column 1 lines 50-

66).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the art to which said subject
> matter pertains. Patentability shall not be negatived by the manner in which the invention was
> made.

5.   Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fleming

(US Patent 5,953,710)

With reference to claims 3 and 6, Fleming teaches an electronic settlement system and

method of claims 1 and 4 respectively as discussed above.

Fleming does not explicitly teach the means of printing deposits and payments of a tax-

deductible expense in a manner that the accounting sheet can be used to submit to tax office.

Official notice is taken that statement for accounts that include deposits and payments

of tax deductible expenses within a tax fiscal year at an end of that year on an accounting sheet

in a manner that the accounting sheet can be used to submit to tax office are old and well

known in the art. Such statements facilitate maintaining records for tax purposes and also make

filing tax returns easier.

It would have been obvious to one with ordinary skill in the art at the time of invention to include this step to the disclosure of Fleming. The combination of the disclosures taken as a whole suggests that it would have helped the user maintain records for tax purposes and also make filing tax returns easier.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Narayanswamy Subramanian whose telephone number is (703) 305-4878. The examiner can normally be reached Monday-Thursday from 8:30 AM to

7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin can be reached at (703) 308-1065. The fax number for Formal or

Official faxes and Draft or Informal faxes to the Patent Office is (703) 872-9306. Any inquiry of

a general nature or relating to the status of this application should be directed to the Group

receptionist whose telephone number is (703) 308-1113.

N. Subramanian
January 17, 2004

Richard Weisberger
Primary Examiner